



U.S. Department of Justice
Civil Division
Federal Programs Branch

Mailing Address
P.O. Box 883
Washington, D.C. 20044

Overnight Delivery Address
20 Massachusetts Ave., N.W.
Washington, D.C. 20001

Tel: (202) 514-9242
Fax: (202) 616-8470
Ethan.P.Davis@usdoj.gov

October 30, 2012

BY E-MAIL

The Honorable Dora L. Irizarry
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Rosenberg; Scherr; Chroman; Ragsdale et al. v. Lashkar-E-Taiba et al.*, 10-cv-5381; 10-05382; 10-05448; 11-03893 (DLI) (E.D.N.Y.)

Dear Judge Irizarry:

I write on behalf of the United States regarding this Court's Request for a Statement of Interest from the United States Department of State and Order Staying All Actions, ECF No. 15.

On April 23, 2012, this Court invited the United States to present its views, if any, in the above-referenced matter by June 29, 2012. On June 25, 2012, and again on August 30, 2012, the United States notified this Court that the Government needed additional time to consider this matter.

Current foreign policy interests of the United States continue to counsel against responding to the Court's invitation at this time. See *Banco Nacional de Cuba v. Sabbatino*, 376 U.S. 398, 436 (1964) ("Often the State Department will wish to refrain from taking an official position, particularly at a moment that would be dictated by the development of private litigation but might be inopportune diplomatically."). However, the United States will present any views to the Court no later than December 17, 2012.

The United States appreciates the Court's invitation and also the Court's continued patience in this regard.

Respectfully submitted,

s/ Ethan P. Davis

ETHAN P. DAVIS

Trial Attorney

U.S. Department of Justice

CERTIFICATE OF SERVICE

I certify that on October 30, 2012, a copy of the foregoing document was served via e-mail to the Court and to all counsel of record.

s/ Ethan P. Davis
ETHAN P. DAVIS